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August 10, 2006

VIA EXPRESS MAIL LABEL EV 465 008 962 US

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: U.S. Serial No. 10/010942 (Conf. # 5594)  
Title: HUMANIZED ANTIBODIES THAT RECOGNIZE  
BETA-AMYLOID PEPTIDE  
Inventor(s): Guriq BASI, et al.  
Filed: December 6, 2001  
Group Art Unit: 1649  
Attorney Docket No. ELN-002

Examiner: K.A. Ballard

Dear Sir:

We enclosed herewith for filing in the above-identified application the following:

1. Application for Patent Term Adjustment Including Request for Reconsideration Under 37 C.F.R. §1.705(b) (2 pages);
2. Statement Under 37 C.F.R. §1.702(b)(2) (9 pages) with the following Exhibits:
  - Exhibit A – PTAS Sheet (3 pages);
  - Exhibit B – Image File Wrapper Record (26 pages);
  - Exhibit C – Corrected PTAS Sheet (3 pages);
  - Exhibit D – Copy of Postcard Receipt from July 9, 2002 (1 page);
  - Exhibit E – Copies of Notice to File Missing Parts from March 1, 2002 and Applicants Response (7 pages);
  - Exhibit F – Transaction History (3 pages);
  - Exhibit G – Copies of Notice to Comply with Sequence Listing from August 21, 2002 with Applicants Response (5 pages).

Respectfully submitted,

LAHIVE & COCKFIELD, LLP  
  
Amy E. Mandragouras, Esq.  
Reg. No. 36,207

AEM:jjv  
Enclosures

BEST AVAILABLE COPY

08/15/2006-HGUTENAL-00000068-120080-10010942

01-FC:1807-50.00-DA



EXPRESS MAIL LABEL NO. EV 465 008 962 US

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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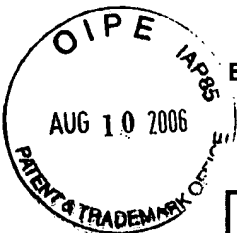
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/010942-Conf. #5594
	Filing Date	December 6, 2001
	First Named Inventor	Guriq BASI
	Art Unit	1649
	Examiner Name	K. A. Ballard
Total Number of Pages in This Submission	Attorney Docket Number	ELN-002

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):  Transmittal Letter (1 page); Application for Patent Term Adjustment Including Request for Reconsideration Under 37 CFR 1.705(b); Statement Under 37 CFR 1.702(b)(2); Exhibits A-G; Return Receipt Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Amy E. Mandragouras		
Date	August 10, 2006	Reg. No.	36,207



EXPRESS MAIL LABEL NO. EV 465 008 962 US

PTO/SB/17 (12-04v2)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b>  <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>	
		Application Number	10/010942-Conf. #5594
		Filing Date	December 6, 2001
		First Named Inventor	Guriq BASI
		Examiner Name	K. A. Ballard
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Art Unit	1649	
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 200.00	Attorney Docket No.	ELN-002

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: 12-0080 Deposit Account Name: Lahive & Cockfield, LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
<b>Application Type</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
						<u>Small Entity</u>	
<b>Fee Description</b>						<b>Fee (\$)</b>	<b>Fee (\$)</b>
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>			
- 20 =		x	=	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>		
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>				
- 3 =		x	=				
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
- 100 =		/50	(round up to a whole number) x	=			
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): 1455 Filing an application for patent term adjustment						200.00	

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	36,207
Name (Print/Type)	Amy E. Mandragouras	Telephone	(617) 227-7400
		Date	August 10, 2006



Docket No.: ELN-002  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Guriq Basi *et al.*

Application No.: 10/010942

Confirmation No.: 5594

Filed: December 6, 2001

Art Unit: 1649

For: HUMANIZED ANTIBODIES THAT  
RECOGNIZE BETA AMYLOID PEPTIDE

Examiner: Ballard, Kimberly A.

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

08/16/2006 CNGUYEN1 00000020 120080 10010942  
01 FC:1455 200.00 DA

**APPLICATION FOR PATENT TERM ADJUSTMENT INCLUDING REQUEST FOR  
RECONSIDERATION UNDER 37 CFR §1.705(b)**

Dear Sir:

1. This is a request for reconsideration of the patent term adjustment of 0 days indicated in the determination of Patent Term Adjustment under 35 USC 154(b) that was attached to the Notice of Allowance mailed on May 11, 2006 for the above-referenced application. It is respectfully requested that Applicants be granted a minimum patent term adjustment of **508 days**, with an additional term to be added based on the number of days following payment of the issue fee on August 11, 2006 to the date of issuance of a patent for the above-referenced application.

2. The issue fee has not yet been paid.

3. Applicants submit herewith a "Statement Under 37 CFR §1.702(b)(2)".

Adjustment date: 08/16/2006 HGUTEMA1  
08/14/2006 HGUTEMA1 00000068 120080 10010942  
01 FC:1807 50.00 CR

08/14/2006 HGUTEMA1 00000068 10010942  
01 FC:1807 50.00 DA

4. In accordance with 37 CFR §1.705(b)(1), please charge the fee set forth in 37 CFR §1.18(e) (\$200.00) to our Deposit Order Account No. 12-0080. Please charge any necessary additional fees or credit any overpayments to our Deposit Order Account No. 12-0080.

Dated: August 10, 2006

Respectfully submitted,

By 

Amy E. Mandragouras, Esq

Registration No.: 36,207

LAHIVE & COCKFIELD, LLP

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Attorney For Applicant



Docket No.: ELN-002  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Guriq Basi *et al.*

Application No.: 10/010942

Confirmation No.: 5594

Filed: December 6, 2001

Art Unit: 1649

For: HUMANIZED ANTIBODIES THAT  
RECOGNIZE BETA AMYLOID PEPTIDE

Examiner: Ballard, Kimberly A.

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER 37 CFR § 1.702(b)(2)**

Dear Sir:

1. This statement is respectfully submitted in support of the "Application for Patent Term Adjustment Including Request for Reconsideration Under 37 CFR §1.705(b)" for the above-referenced application. In view of the following, it is respectfully requested that Applicants be granted a minimum patent term adjustment of 508 days, with an additional term to be added based on the number of days following payment of the issue fee on August 11, 2006 to the date of issuance of a patent for the above-referenced application.

2. The patent term adjustment on the Determination of Patent Term Adjustment Under 35 U.S.C. §154(b) ("PTAS Sheet") that was attached to the Notice of Allowance is 0 days (a copy of the PTAS Sheet is submitted herewith as Exhibit A). This determination of 0 days is in error in that pursuant to 35 U.S.C. §154(b) the Office failed to take certain action within the time frame specified in 37 CFR §1.702(a) and failed to issue a patent within three years of the actual filing date of the above-referenced application in accordance with 37 CFR §1.702(b).

Pursuant to 37 CFR §1.703(a), Applicants are entitled to a period of patent term adjustment due to the failure by the Office to mail an action under 35 U.S.C. §132 not later than 14 months after the actual filing date (*i.e.*, by February 6, 2003) (hereinafter “14 Month Delay”). As the Office failed to mail an action under 35 U.S.C. §132 until September 24, 2003, Applicants are entitled to a period of patent term adjustment beginning on the day after the date that is 14 months after the date on which the above-referenced application was filed under 35 U.S.C. §111(a), *i.e.*, February 7, 2003, and ending on the date of mailing of an action under 35 U.S.C. §132, *i.e.*, September 24, 2003. Accordingly, the period of patent term adjustment due to the 14 Month Delay by the Office is 230 days, which is in agreement with the period calculated by the Office on the PTAS Sheet (Exhibit A, line 25).

In addition to the patent term adjustment due to the 14 Month Delay, pursuant to 37 CFR §1.703(b) Applicants are entitled to a period of patent term adjustment due to examination delay from the number of days in the period beginning on the day after the date that is three years after the date on which the above-referenced application was filed under 35 U.S.C. §111(a), *i.e.*, December 7, 2004, and ending on the date a patent is issued, (hereinafter “Three Years Delay”). As the issue date has yet to be determined, Applicants have calculated a minimum period of Three Years Delay of 613 days, based on a hypothetical issue date of August 11, 2006, the projected date of payment of the issue fee.

As set forth in 37 CFR §1.703(f), Applicants are entitled to a period of patent term adjustment equal to the period of examination delays based on the grounds set forth in 37 CFR §1.702 reduced by the period of time equal to the period of time during which Applicants failed to engage in reasonable efforts to conclude prosecution pursuant to 37 CFR §1.704 (hereinafter “Applicant Delay”). With respect to the above-referenced application, the total period of examination delays is the sum of the period of 14 Month Delay (230 days) and the minimum period of Three Years Delay (613 days), or 843 days, to the extent these periods of delay are not overlapping. As the period of 14 Month Delay ended on November 24, 2003, prior to the first day of the period of Three Years Delay, *i.e.*, December 7, 2004, Applicants submit that these periods are not overlapping. To calculate the period of patent term adjustment, the total period

of examination delay is reduced by the period of Applicant Delay, which Applicants have calculated herein as a period of 335 days (not 392 days as set forth in the PTAS Sheet (Exhibit A)).

Accordingly, Applicants submit that the correct patent term adjustment for the above-referenced application is at least 508 days, which is the difference between the total period of examination delay (843 days) and the period of Applicant Delay (335 days). Applicants further submit that the term of 508 days should be extended by an additional term equal to the number of days following payment of the issue fee on August 11, 2006 to the date of issuance of a patent for the above-referenced application in accordance with 37 CFR §1.703(b). As such, the correct patent term adjustment upon issuance of a patent is expected to be the sum of 508 days (as calculated herein) and the number of days from August 12, 2006 to issuance of a patent.

3. The factual bases for the above adjustment are set forth as follows:

A. Examination Delays Pursuant to 37 CFR §1.702 and §1.703

Pursuant to 37 CFR §1.703(f), the period of adjustment of the term of the patent under §1.702 is the sum of the periods of examination delay calculated under subparagraphs (a)-(e), to the extent that such periods are not overlapping, less the sum of the periods calculated under §1.704 (the period of Applicant Delay). In the above-referenced application, Applicants are entitled to a period of examination delay equal to the sum of the periods of delay under §1.703(a) and (b) for the reasons set forth below.

(i) “14 Month Delay” Pursuant to §1.703(a)(1)

In accordance 37 CFR §1.703(a)(1), Applicants are entitled to a period of patent term adjustment due to the failure by the Office to mail an action under 35 U.S.C. §132 not later than 14 months after the actual filing date (*i.e.*, by February 6, 2003). As shown in the PTAS Sheet (Exhibit A, line 25), the Office failed to mail an action under 35 U.S.C. §132 (a Restriction



Requirement) until September 24, 2003. As such, Applicants are entitled to a period of patent term adjustment beginning February 7, 2003 and ending on September 24, 2003, the date of mailing of the Restriction Requirement by the Office. Accordingly, the period of patent term adjustment due to the 14 Month Delay by the Office is 230 days, as shown on line 25 of the PTAS Sheet (Exhibit A, line 25).

(ii) "Three Years Delay" Pursuant to 37 CFR §1.703(b)

It is anticipated that the Office will not comply with the requirement of 35 U.S.C. §154(b) and 37 CFR §1.702(b), which requires issuance of a patent within 3 years after the date on which the application was filed under 35 U.S.C. §111(a). As indicated in the Notice of Allowance, a patent is projected to issue on November 28, 2006, but may issue earlier or later depending on the circumstances of publication. However, even assuming *arguendo* that a patent is issued on the same day as the projected date of payment of the issue fee (*i.e.*, August 11, 2006), said issue date would be 3 years and 613 days after the date on which the above-referenced application was filed under 35 U.S.C. §111(a). As none of the exclusionary periods set forth in 37 CFR §1.702(b) apply to the instant application and in accordance with 37 CFR §1.703, a minimum period of examination delay is calculated to be at least 613 days, based on the hypothetical issue date of August 11, 2006. This minimum period of examination delay is to be extended by an additional term equal to the number of days following payment of the issue fee on August 11, 2006 to the date of issuance of a patent. Accordingly, the entire period of Three Years Delay is the sum of the minimum period of examination delay of 613 days and the number of days from August 12, 2006 to the day of issuance of the patent.

(iii) Total Examination Delay Pursuant to 37 CFR §1.703(f)

As set forth in 37 CFR §1.703(f), the period of examination delay based on the grounds set forth in 37 CFR §1.702 is the sum of the period of 14 Month Delay (230 days) and the minimum period of Three Years Delay (613 days), or 843 days, to the extent these periods of delay are not overlapping. As the period of 14 Month Delay ended on November 24, 2003, prior to the first day of the period of Three Years Delay, *i.e.*, December 7, 2004, Applicants submit that these periods are not overlapping.

B. “Applicant Delay” Pursuant to 37 CFR §1.704

Pursuant to 37 CFR §1.704 the period of adjustment of the term of the patent due to examination delay is reduced by the period of Applicant Delay. As indicated on the PTAS Sheet (Exhibit A), the Office has calculated a period of Applicant Delay of 392 days. Applicants respectfully submit that the correct period of Applicant Delay is 335 days and seek correction based on the following remarks. A PTAS Sheet showing corrections by Applicants is submitted herewith as Exhibit C. A copy of the “Image File Wrapper Record” and “Transaction History” from Applicants’ Private PAIR are submitted herewith as Exhibits B and F.

(i) Applicant Delay for Responding to a Notice to File Missing Parts of March 1, 2002

Applicants request correction of the initial period of Applicant Delay of 107 days (line 16 of Exhibit A) from the date of mailing of a Notice to File Missing Parts of the Application on March 1, 2002 (line 7 of Exhibit A) to September 16, 2002 (line 16 of Exhibit A), the date on which Applicants are alleged to have responded. Applicants submit that the correct period of Applicant Delay is 38 days, which is the number of days in excess of 3 months from the date of the Notice to File Missing Parts (*i.e.*, June 1, 2002) to the date on which a complete response was filed by the Applicants (*i.e.*, July 9, 2002). As evidenced by the enclosed copy of a postcard receipt (submitted herewith as Exhibit D), Applicants filed a complete response to the Notice to File Missing Parts, including a computer-readable sequence disk, via first class mail on July 1, 2002. The date-in stamp on the postcard receipt indicates that these documents and sequence disk were received by the Office on July 9, 2002. Copies of the Notice to File Missing Parts from March 1, 2002 as well as Applicants’ response thereto from the Image File Wrapper Record are submitted herewith as Exhibit E. Additional evidence of receipt of Applicants’ complete response on July 9, 2002 is shown on the Image File Wrapper Record (Exhibit B) from this date indicating “Applicant Response to Pre-Exam Formalities Notice”, “Oath or Declaration Filed” and “CFR Sequence Listing Filed,” among other entries. According to 37 CFR §1.704 (b), the period of Applicant Delay begins on the day that is 3 months after the date of the Notice to Comply (*i.e.*, June 2, 2002) and ends on the date the reply was filed by Applicants (*i.e.*, July 9, 2002) for a total of 38 days. For the reasons set forth in subsection B (ii) below, Applicants

submit that no other Applicant Delays accrued during the period from March 1, 2002 to September 16, 2002. As such, Applicants request correction of the initial period of Applicant Delay of 107 days (line 16 of Exhibit A) to 38 days (line 12 of Exhibit C).

(ii) Applicant Delay for Responding to a Notice to Comply with Sequence Listing of August 21, 2002

Applicants respectfully submit that the Office has improperly calculated the period beginning August 22, 2002 (the day following the mail date of a "Preexam Formalities Notice" by the Office on August 21, 2002 (line 12 of Exhibit A)) and ending September 16, 2002 (the date of a response to the Preexam Formalities Notice by Applicants (line 16 of Exhibit A) as an Applicant Delay. This alleged period of delay corresponds to the period for response by Applicants to a "Preexam Formalities Notice," a "Notice to Comply with Requirement for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" ("Notice to Comply with Sequence Listing") mailed August 21, 2002 (a copy of this Notice and Applicants response is submitted herewith as Exhibit G). As shown in Exhibit G, Applicants filed a response to the Notice to Comply with Sequence Listing via first class mail on September 16, 2002. The date-in stamp by the Office indicates that the response was received on September 20, 2002. Further evidence of receipt of Applicants' complete response on September 20, 2002 is shown on the Image File Wrapper Record (Exhibit B) from this date indicating "Response to Pre-Exam Sequence Notice" and "Sequence Listing," among other entries. Pursuant to 37 CFR §1.704(b), the period of Applicant Delay begins on the day that is 3 months after the date of the Notice to Comply with Sequence Listing (*i.e.*, November 22, 2002) and ends on the date the reply was filed by Applicants. As Applicants filed a complete response to the Notice to Comply with Sequence Listing on September 20, 2002, within the three month grace period provided by 37 CFR §1.704(b), no Applicant Delay accrued.

Finally, it is respectfully submitted that the period of time from July 9, 2002 (the date of response by Applicants to the Notice to File Missing Parts) to August 21, 2002 (the date of mailing of the Notice to Comply with Sequence Listing by the Office) has been improperly calculated by the Office as a period of Applicant Delay. The alleged period of delay, a total of

43 days, corresponds to the time taken by the Office of Initial Patent Examination (OIPE) to process the response filed by Applicants on July 9, 2002. Applicants submit that the 43 day period is an examination delay by the Office and is not a delay by the Applicants pursuant to 37 CFR §1.704.

In view of the preceding remarks, Applicants submit that no Applicant Delays accrued during the period from July 9, 2002 to September 20, 2002. Accordingly, Applicants request correction of the initial period of Applicant Delay of 107 days (line 16 of Exhibit A) to 38 days (line 12 of Exhibit C), which is equivalent to the period of Applicant Delay beginning on the day that is 3 months after the date of the Notice to Comply (*i.e.*, June 2, 2002) and ending on the date the reply was filed by Applicants (*i.e.*, July 9, 2002).

(iii) Applicant Delay for Filing an Information Disclosure Statement

Applicants respectfully submit that an additional period of Applicant Delay of 12 days accrued for the delayed submission of an Information Disclosure Statement (IDS) on March 15, 2006 (see line 66, Exhibit C). This period is not shown on Exhibit A, the PTAS Sheet from the Office. As shown on Exhibit C, an IDS was filed without a statement under 37 CFR §1.704(d), 12 days after the filing of a response by Applicants to an office action on March 3, 2006. Pursuant to 37 CFR §1.704(c), this 12 day period should be considered an Applicant Delay and should be added to the period of delay by Applicants.

(iv) Other Entries Which Do Not Add to the Period of Applicant Delay

Applicants submit that there are several inconsistencies between entries shown on the PTAS Sheet (Exhibit A) and those shown on the Image File Wrapper Record (Exhibit B). In particular, Applicants direct the attention of the Office to Applicants' Petition to Correct Inventorship under 37 CFR §1.48(a) and accompanying Oath and Declaration filed on April 3, 2006. The Oath and Declaration is shown on Exhibit B, but does not appear on the PTAS Sheet (Exhibit A). According to MPEP 2732, oaths and declarations are examples of "other paper" that may generate reductions pursuant to 37CFR §1.704(c) (10) if such papers are filed after a Notice of Allowance is mailed or given. However, as Applicants filed the Oath and Declaration

on April 3, 2006, well before the Notice of Allowance mail date of May 11, 2006, and this submission is not believed to otherwise delay the processing or examination of the application (as evidenced by the issuance of a Notice of Allowance 38 days following receipt of the Oath and Declaration), it is not believed to be an Applicant Delay as defined by 37 CFR §1.704.

In addition to these inconsistencies, Applicants also wish to point out that the entries of May 10, 2006 and May 11, 2006 on the PTAS sheet entitled "Formal Drawings Required" and "Mail Formal Drawings Required," respectively, are erroneous. These entries do not appear in the Image File Wrapper Record (Exhibit B) and Applicants did not receive a paper copy of a request for formal drawing from the Office. Applicants contacted Examiner Ballard on August 1, 2006, in which she confirmed that she did not issue a notice for formal drawings and that the entry on the PTAS Sheet was erroneous. Applicants were informed by the Examiner that the Office would seek appropriate correction of these erroneous entries related to formal drawings. As shown in the Transaction History from Applicants Private PAIR (Exhibit F), the Office entered "**Correction-Drawing NOT required**" on August 8, 2006, thereby acknowledging the erroneous entry in the PTAS Sheet. The preceding inconsistencies in the PTAS Sheet are noted in Exhibit C and appropriate correction by the Office is respectfully requested.

(v) Calculation of the Total Period of Applicant Delay

In view of the above, Applicants have calculated a total period of Applicant Delay of **335 days** which is the sum of the following Applicant Delays shown in Exhibit C: (i) the 38 day period from June 2, 2002 to July 9, 2002 (lines 9-11); (ii) the 79 day period (line 29); (iii) the 92 day period (line 35); (iii) the 20 day period (line 39); (iv) the 30 day period (line 44); (v) the 5 day period (line 51); (vi) the 59 day period (line 63); and (vii) the 12 day period from March 3, 2006 to March 15, 2006 (lines 63-66). Applicants respectfully submit that the correct period of Applicant Delay is **335 days**, not 392 days, and request appropriate correction by the Office.

C. Calculation of Correct Patent Term Adjustment Pursuant to 37 CFR §1.702(f)

As set forth in 37 CFR §1.703(f), Applicants are entitled to a period of patent term adjustment equal to the period of examination delays reduced by the period of Applicant Delay. Therefore, Applicants submit that the correct patent term adjustment for the above-referenced application is **at least 508 days**, which is the difference between the total period of examination delay (843 days) and the period of Applicant Delay (335 days). Applicants further submit that the term of 508 days should be extended by an additional term equal to the number of days following payment of the issue fee on August 11, 2006 to the date of issuance of a patent for the above-referenced application in accordance with 37 CFR §1.703(b). **As such, the correct patent term adjustment upon issuance of a patent is expected to be the sum of 508 days (as calculated herein) and the number of days from August 12, 2006 to issuance of a patent.**

4. In accordance with 37 CFR §1.705(b)(2)(iii), Applicants submit that the pending patent corresponding to this application will not be subject to a terminal disclaimer.

In view of the foregoing, it is respectfully requested that this Application for Patent Term Adjustment be favorably considered and that a corrected Determination of Patent Term Adjustment be issued to reflect a minimum patent term adjustment of **508 days**, with an additional term to be added based on the number of days following payment of the issue fee on August 11, 2006 to the date of issuance of a patent for the above-referenced application.

Dated: August 10, 2006

Respectfully submitted,

By 

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Attorney For Applicant

## EXHIBIT A

**Patent Term Adjustment**

Filing or 371(c) Date:	12-06-2001	USPTO Delay (PTO) Delay (days):	244
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	392
Post-Issue Petitions (days):	+0	Total Patent Term Adjustment (days):	0
USPTO Adjustment(days):	+0	Explanation Of Calculations	

**Patent Term Adjustment History**

	Date	Contents Description	PTO(Days)	APPL(Days)
79	05-11-2006	Mail Notice of Allowance		
78	05-11-2006	Mail Formal Drawings Required		
77	05-11-2006	Mail Examiner Interview Summary (PTOL - 413)		
76	05-10-2006	Formal Drawings Required		
75	05-10-2006	Notice of Allowance Data Verification Completed		
74	05-10-2006	Case Docketed to Examiner in GAU		
73	04-24-2006	Examiner Interview Summary Record (PTOL - 413)		
72	05-01-2006	Mail Examiner Interview Summary (PTOL - 413)		
71	04-11-2006	Examiner Interview Summary Record (PTOL - 413)		
70	03-15-2006	Information Disclosure Statement considered		
69	03-03-2006	Information Disclosure Statement considered		
68	12-22-2005	Information Disclosure Statement considered		
67	03-15-2006	Reference capture on IDS		
66	03-15-2006	Information Disclosure Statement (IDS) Filed		
65	03-03-2006	New or Additional Drawing Filed		
64	03-13-2006	Date Forwarded to Examiner		
63	03-03-2006	Response after Non-Final Action		59
62	03-03-2006	Request for Extension of Time - Granted		↑
61	03-03-2006	Reference capture on IDS		↑
60	03-03-2006	Information Disclosure Statement (IDS) Filed		↑
59	02-22-2006	Mail Examiner Interview Summary (PTOL - 413)		↑
58	02-16-2006	Examiner Interview Summary Record (PTOL - 413)		↑
57	12-22-2005	Reference capture on IDS		↑
56	12-22-2005	Information Disclosure Statement (IDS) Filed		↑
55	10-03-2005	Mail Non-Final Rejection	14	
54	09-29-2005	Non-Final Rejection	↑	
53	08-24-2005	Case Docketed to Examiner in GAU	↑	
52	06-28-2005	Case Docketed to Examiner in GAU	↑	
51	05-24-2005	Information Disclosure Statement (IDS) Filed		5
50	06-02-2005	IFW TSS Processing by Tech Center Complete		↑
49	06-02-2005	Case Docketed to Examiner in GAU		↑
48	11-29-2004	Reference capture on IDS		↑
47	11-29-2004	Information Disclosure Statement (IDS) Filed		↑

46	05-24-2005	Reference capture on IDS	↑	
45	06-01-2005	Date Forwarded to Examiner	↑	
44	05-19-2005	Response after Non-Final Action		30
43	05-19-2005	Request for Extension of Time - Granted	↑	
42	05-25-2005	Case Docketed to Examiner in GAU	↑	
41	01-19-2005	Mail Non-Final Rejection	↑	
40	01-19-2005	Non-Final Rejection		
39	12-16-2004	Information Disclosure Statement (IDS) Filed		20
38	12-20-2004	Date Forwarded to Examiner	↑	
37	12-14-2004	Supplemental Response	↑	
36	12-07-2004	Date Forwarded to Examiner	↑	
35	11-26-2004	Response after Non-Final Action		92
34	11-26-2004	Request for Extension of Time - Granted	↑	
33	11-26-2004	Workflow incoming amendment IFW	↑	
32	05-26-2004	Mail Non-Final Rejection	↑	
31	05-25-2004	Non-Final Rejection		
30	03-18-2004	Date Forwarded to Examiner		
29	03-12-2004	Response to Election / Restriction Filed		79
28	03-12-2004	Request for Extension of Time - Granted	↑	
27	12-19-2003	Correspondence Address Change	↑	
26	09-20-2003	Preliminary Amendment	↑	
25	09-24-2003	Mail Restriction Requirement		230
24	09-24-2003	Requirement for Restriction / Election	↑	
23	09-17-2003	Case Docketed to Examiner in GAU	↑	
22	10-03-2002	Information Disclosure Statement (IDS) Filed	↑	
21	07-09-2002	Preliminary Amendment	↑	
20	05-27-2003	Case Docketed to Examiner in GAU	↑	
19	04-21-2003	Case Docketed to Examiner in GAU	↑	
18	10-11-2002	Application Dispatched from OIPE	↑	
17	10-10-2002	Application Is Now Complete	↑	
16	09-16-2002	Additional Application Filing Fees		107
15	09-16-2002	CRF Disk Has Been Received by Preexam / Group / PCT	↑	
14	10-07-2002	CRF Is Good Technically / Entered into Database	↑	
13	08-25-2002	Receipt of all Acknowledgement Letters	↑	
12	08-21-2002	SEQUENCE ERRORS	↑	
11	07-01-2002	Payment of additional filing fee/Preexam	↑	
10	07-01-2002	CRF Disk Has Been Received by Preexam / Group / PCT	↑	
9	07-01-2002	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applicant	↑	
8	07-30-2002	CRF Does Not Match Application Specification -- Applicant Must Correct	↑	
7	03-01-2002	Notice Mailed--Application Incomplete--Filing Date	↑	



## Assigned

- 6 01-15-2002 Referred by L&R for Third-Level Security Review. Agency Referral Letter Generated
  - 5 01-10-2002 IFW Scan & PACR Auto Security Review
  - 4 01-04-2002 CRF Is Flawed Technically / Not Entered into Database
  - 3 12-19-2001 IFW Scan & PACR Auto Security Review
  - 2 12-06-2001 CRF Disk Has Been Received by Preexam / Group / PCT
  - 1 12-06-2001 Initial Exam Team nn
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## Available Documents

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10-07-2002	<u>Foreign Reference</u>	PRIOR ART	48

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10-07-2002	<a href="#">Foreign Reference</a>	PRIOR ART	7
10-07-2002	<a href="#">Foreign Reference</a>	PRIOR ART	38
10-07-2002	<a href="#">Information Disclosure Statement (IDS) Filed</a>	PROSECUTION	22
09-27-2002	<a href="#">CRF Sequence Listing Filed</a>	PROSECUTION	6
09-20-2002	<a href="#">Transmittal letter</a>	PROSECUTION	1
09-20-2002	<a href="#">Response to Pre-Exam Sequence Notice</a>	PROSECUTION	4
09-20-2002	<a href="#">Sequence Listing</a>	PROSECUTION	22
08-21-2002	<a href="#">Pre-Exam Formalities Notice</a>	PROSECUTION	1
07-24-2002	<a href="#">CRF Sequence Listing Filed</a>	PROSECUTION	1
07-09-2002	<a href="#">Applicant Response to Pre-Exam Formalities Notice</a>	PROSECUTION	5
07-09-2002	<a href="#">Oath or Declaration filed</a>	PROSECUTION	5
07-09-2002	<a href="#">Preliminary Amendment</a>	PROSECUTION	1
07-09-2002	<a href="#">Claims</a>	PROSECUTION	10
07-09-2002	<a href="#">Applicant Arguments/Remarks Made in an Amendment</a>	PROSECUTION	11
07-09-2002	<a href="#">Extension of Time</a>	PROSECUTION	1
07-09-2002	<a href="#">CRF Sequence Listing Filed</a>	PROSECUTION	2
07-09-2002	<a href="#">Sequence Listing</a>	PROSECUTION	21
03-01-2002	<a href="#">Pre-Exam Formalities Notice</a>	PROSECUTION	2
12-20-2001	<a href="#">CRF Sequence Listing Filed</a>	PROSECUTION	3
12-06-2001	<a href="#">Issue Information including classification, examiner, name, claim, renumbering, etc.</a>	PROSECUTION	1
12-06-2001	<a href="#">Search information including classification, databases and other search related notes</a>	PROSECUTION	1

12-06-2001	<a href="#">Index of Claims</a>	PROSECUTION	1
12-06-2001	<a href="#">Transmittal letter</a>	PROSECUTION	2
12-06-2001	<a href="#">Specification</a>	PROSECUTION	113
12-06-2001	<a href="#">Claims</a>	PROSECUTION	24
12-06-2001	<a href="#">Abstract</a>	PROSECUTION	1
12-06-2001	<a href="#">Oath or Declaration filed</a>	PROSECUTION	5
12-06-2001	<a href="#">Drawings</a>	PROSECUTION	10
12-06-2001	<a href="#">Fee Worksheet (PTO-875)</a>	PROSECUTION	2
12-06-2001	<a href="#">Claims Worksheet (PTO-2022)</a>	PROSECUTION	4
12-06-2001	<a href="#">Application Data Sheet</a>	PROSECUTION	3
12-06-2001	<a href="#">CRF Sequence Listing Filed</a>	PROSECUTION	1
12-06-2001	<a href="#">Sequence Listing</a>	PROSECUTION	22
12-06-2001	<a href="#">Artifact sheet indicating an item has been filed which cannot be scanned</a>	PROSECUTION	1
12-06-2001	<a href="#">Transmittal letter</a>	AS FILED	3
12-06-2001	<a href="#">Application Data Sheet</a>	AS FILED	3
12-06-2001	<a href="#">Specification</a>	AS FILED	113
12-06-2001	<a href="#">Claims</a>	AS FILED	24
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12-06-2001	<a href="#">Drawings</a>	AS FILED	10
12-06-2001	<a href="#">Oath or Declaration filed</a>	AS FILED	5
12-06-2001	<a href="#">Sequence Listing</a>	AS FILED	22

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- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBBC@uspto.gov](mailto:EBBC@uspto.gov) for specific question Information Retrieval (PAIR).*
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- *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Filing](#) at [efiling@uspto.gov](mailto:efiling@uspto.gov) or call 800-786-9199.*

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Search results as of: 08-08-2006::15:56:41 E.T.

**Patent Term Adjustment**

Filing or 371(c) Date:	12-06-2001	USPTO Delay (PTO) Delay (days):	244
Issue Date of Patent:	-	Three Years:	7613 X
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	335 3X
Post-Issue Petitions (days):	+0	Total Patent Term Adjustment (days):	7278 X
USPTO Adjustment(days):	+0	Explanation Of Calculations	

**Patent Term Adjustment History**

Date	Contents Description	PTO(Days)	APPL(Days)
79 05-11-2006	Mail Notice of Allowance		
78 05-11-2006	Mail Formal Drawings Required		
77 05-11-2006	Mail Examiner Interview Summary (PTOL - 413)		
76 05-10-2006	Formal Drawings Required		
75 05-10-2006	Notice of Allowance Data Verification Completed		
74 05-10-2006	Case Docketed to Examiner in GAU		
73 04-24-2006	Examiner Interview Summary Record (PTOL - 413)		
72 05-01-2006	Mail Examiner Interview Summary (PTOL - 413)		
71 04-11-2006	Examiner Interview Summary Record (PTOL - 413)		
70B 04-03-2006	New Oath - Petition to Correct Inventorship		
70 03-15-2006	Information Disclosure Statement considered		
69 03-03-2006	Information Disclosure Statement considered		
68 12-22-2005	Information Disclosure Statement considered		
67 03-15-2006	Reference capture on IDS		
66 03-15-2006	Information Disclosure Statement (IDS) Filed		
65 03-03-2006	New or Additional Drawing Filed		
64 03-13-2006	Date Forwarded to Examiner		
63 03-03-2006	Response after Non-Final Action		59
62 03-03-2006	Request for Extension of Time - Granted		↑
61 03-03-2006	Reference capture on IDS		↑
60 03-03-2006	Information Disclosure Statement (IDS) Filed		↑
59 02-22-2006	Mail Examiner Interview Summary (PTOL - 413)		↑
58 02-16-2006	Examiner Interview Summary Record (PTOL - 413)		↑
57 12-22-2005	Reference capture on IDS		↑
56 12-22-2005	Information Disclosure Statement (IDS) Filed		↑
55 10-03-2005	Mail Non-Final Rejection	14	
54 09-29-2005	Non-Final Rejection	↑	
53 08-24-2005	Case Docketed to Examiner in GAU	↑	
52 06-28-2005	Case Docketed to Examiner in GAU	↑	
51 05-24-2005	Information Disclosure Statement (IDS) Filed		5
50 06-02-2005	IFW TSS Processing by Tech Center Complete		↑
49 06-02-2005	Case Docketed to Examiner in GAU		↑
48 11-29-2004	Reference capture on IDS		↑
47 11-29-2004	Information Disclosure Statement (IDS) Filed		↑

(12)

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46	05-24-2005	Reference capture on IDS		↑
45	06-01-2005	Date Forwarded to Examiner		↑
44	05-19-2005	Response after Non-Final Action		30
43	05-19-2005	Request for Extension of Time - Granted		↑
42	05-25-2005	Case Docketed to Examiner in GAU		↑
41	01-19-2005	Mail Non-Final Rejection		↑
40	01-19-2005	Non-Final Rejection		
39	12-16-2004	Information Disclosure Statement (IDS) Filed		20
38	12-20-2004	Date Forwarded to Examiner		↑
37	12-14-2004	Supplemental Response		↑
36	12-07-2004	Date Forwarded to Examiner		↑
35	11-26-2004	Response after Non-Final Action		92
34	11-26-2004	Request for Extension of Time - Granted		↑
33	11-26-2004	Workflow incoming amendment IFW		↑
32	05-26-2004	Mail Non-Final Rejection		↑
31	05-25-2004	Non-Final Rejection		
30	03-18-2004	Date Forwarded to Examiner		
29	03-12-2004	Response to Election / Restriction Filed		79
28	03-12-2004	Request for Extension of Time - Granted		↑
27	12-19-2003	Correspondence Address Change		↑
26	<del>09-20-2003</del>	<del>Preliminary Amendment</del>		↑
25	09-24-2003	Mail Restriction Requirement	230	
24	09-24-2003	Requirement for Restriction / Election		↑
23	09-17-2003	Case Docketed to Examiner in GAU		↑
22A	<del>09-11-2003</del>	<del>Information Disclosure Statement (IDS) Filed</del>		↑
22	10-03-2002	Information Disclosure Statement (IDS) Filed		↑
21	07-09-2002	Preliminary Amendment		↑
20	05-27-2003	Case Docketed to Examiner in GAU		↑
19	04-21-2003	Case Docketed to Examiner in GAU		↑
18	10-11-2002	Application Dispatched from OIPE		↑
17	10-10-2002	Application Is Now Complete		↑
16	<del>09-16-2002</del>	<del>Additional Application Filing Fees</del>		107
15	<del>09-16-2002</del>	<del>CRF Disk Has Been Received by Preexam / Group / PCT</del>		X
14	<del>09-20-2002</del>	<del>CRF Is Good Technically / Entered into Database</del>		X
13	08-25-2002	Receipt of all Acknowledgement Letters		X
12	08-21-2002	<del>SEQUENCE ERRORS</del> Pre-Exam Formalities Notice		X
11	<del>07-01-2002</del>	Payment of additional filing fee/Preexam		38
10	<del>07-01-2002</del>	CRF Disk Has Been Received by Preexam / Group / PCT		↑
9	<del>07-01-2002</del>	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic		↑
8	07-30-2002	CRF Does Not Match Application Specification -- Applicant Must Correct		↑
7	03-01-2002	Notice Mailed--Application Incomplete--Filing Date Assigned		↑

6	01-15-2002	Referred by L&R for Third-Level Security Review. Agency Referral Letter Generated
5	01-10-2002	IFW Scan & PACR Auto Security Review
4	01-04-2002	CRF Is Flawed Technically / Not Entered into Database
3	12-19-2001	IFW Scan & PACR Auto Security Review
2	12-06-2001	CRF Disk Has Been Received by Preexam / Group / PCT
1	12-06-2001	Initial Exam Team nn

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EXHIBIT D

Office No. ELN-002

**THE "RECEIVED" STAMP OF THE PATENT AND TRADEMARK OFFICE  
IMPRINTED HEREON ACKNOWLEDGES THE FILING OF:**

**Description of Paper\* and No.:** Transmittal Letter (1 page, in duplicate); Request for Two-Month Extension of Time (1 page, in duplicate); Response to Notice to File Missing Parts (2 pages, in duplicate); executed Declaration, Petition and Power of Attorney document (5 pages); Copy of Notice to File Missing Parts (5 pages); Preliminary Amendment (22 pages with Appendix A); Transmittal Letter for Diskette containing Substitute Sequence Listing (1 page); 21 pages of Substitute Sequence Listing; Diskette containing computer readable form of the Sequence Listing; and acknowledgment postcard.

**Title:** *Humanized Antibodies That Recognize Beta Amyloid Peptide*

**Name of Applicant(s):** Guriq Basi, Jose Saldanha, and Ted Yednock

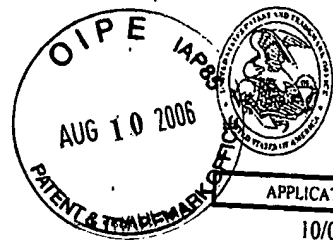
**Intf. or Serial No.:** 10/010,942

**Attorneys:** AEM/DJM/CEH

**Date:** July 1, 2002



**\*with Certificate of First Class Mailing\***



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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER

10/010,942

FILING/RECEIPT DATE

12/06/2001

FIRST NAMED APPLICANT

Guriq Basi

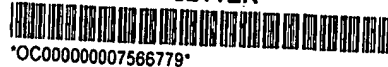
ATTORNEY DOCKET NUMBER

ELN-002

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

CONFIRMATION NO. 5594

## FORMALITIES LETTER



\*OC000000007566779\*

Date Mailed: 03/01/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$7462.
  - \$2898 for 161 total claims over 20.
  - \$4284 for 51 independent claims over 3.
  - \$280 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 8332.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

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*A copy of this notice **MUST** be returned with the reply.*



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PART 3 - OFFICE COPY

Serial No. 10/010,942

Filed: December 6, 2001

For: Humanized Antibodies that Recognize Beta Amyloid Protein

## COMMISSIONER FOR PATENTS

Box Missing Parts

Washington, D.C. 20231



Sir:

Transmitted herewith for filing in connection with the above-identified application are the following:

- ☒ Response to Notice to File Missing Parts (2 pages, in duplicate);
- ☒ Request for Two-Month Extension of Time (1 page, in duplicate);
- ☒ Copy of Notice to File Missing Parts (5 pages);
- ☒ Executed Declaration, Petition and Power of Attorney document (5 pages);
- ☒ Preliminary Amendment (22 pages, with Appendix A);
- ☒ Transmittal Letter for Diskette containing Substitute Sequence Listing (1 page);
- ☒ 21 pages of Substitute Sequence Listing;
- ☒ Diskette containing computer readable form of the Substitute Sequence Listing;
- ☒ Return Postcard.

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The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)							
FOR:	NO. FILED	NO. EXTRA		SMALL ENTITY		OR	OTHER THAN SMALL ENTITY		
BASIC FEE	//////////			RATE	FEE		RATE	FEE	
TOTAL CLAIMS	151 - 20	= 131		//////////	\$		//////////	\$ 740	
INDEP. CLAIMS	31 - 3	= 28		x 9=	\$		x 18=	\$ 2358	
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED				x 42	\$		x 84	\$ 2352	
				+140	\$		+280	\$ 280	
				TOTAL	0		TOTAL	\$5730.00	

\* If the difference in Col. 2 is less than zero, enter "0" in Col. 2.

- ☒ The Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed. The Commissioner is further authorized to charge to Deposit Account No. 12-0080 the following:
  - ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
  - ☐ Any patent application processing fees under 37 CFR 1.17.
- ☒ Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed. Applicants request any extensions of time necessary to respond.

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

July 1, 2002

Date

Signature of Person Mailing

LAHIVE & COCKFIELD LLP  
Attorneys at Law

By  
Debra J. Masincio, Esq.  
Reg. No. 46,931  
28 State Street  
Boston, MA 02109  
(617) 227-7400  
Telecopier (617) 742-4214

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: G. Basi, *et al*

Serial No.: 10/010,942

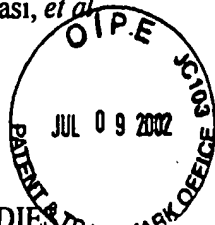
Filed: December 6, 2001

For: HUMANIZED ANTIBODIES  
THAT RECOGNIZE BETA AMYLOID  
PROTEIN

Attorney Docket No.: ELN-002

Group Art Unit: 1645

Examiner: Not Yet Assigned



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Commissioner for Patents  
Washington, D.C. 20231

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July 1, 2002

Date of Signature and of Mail Deposit

By: 

Debra J. Milasincic, Esq.  
Reg. No. 46,931  
Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Dear Sir:

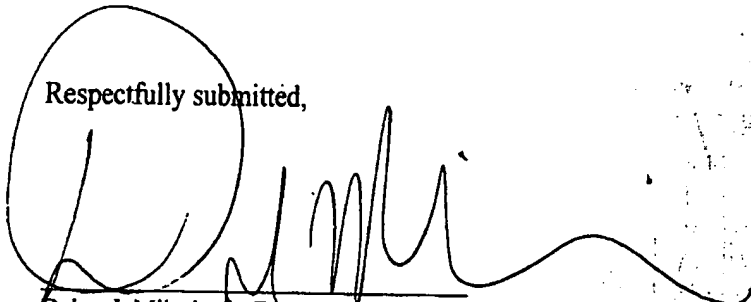
Responsive to the Notice to File Missing Parts of Nonprovisional Application dated March 1, 2002, Applicants' attorney submits the executed Declaration, Petition and Power of Attorney document for the above-identified patent application, a Preliminary Amendment with Version with Markings to Show Changes Made, and a Substitute Sequence Listing (paper and diskette).

Please charge Deposit Account No. 12-0080 in the amount of \$5,860.00 (\$740.00 for basic filing fee, \$130.00 for surcharge fee, \$4990.00 for extra claims fee)

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. §§1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Debra J. Milasincic', is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

Debra J. Milasincic, Esq.  
Reg. No. 46,931  
Attorney for Applicants

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: July 1, 2002



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/010,942	12/06/2001	Guriq Basi	ELN-002

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109



CONFIRMATION NO. 5594  
FORMALITIES LETTER  
\*OC000000007566779\*

Date Mailed: 03/01/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/16/2002 BABRHH1 00000040 120080 10010942

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

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01 FC:103 740.00 CH  
02 FC:103 130.00 CH  
03 FC:103 2358.00 CH  
04 FC:102 2352.00 CH  
05 FC:104 280.00 CH

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$7462.
  - \$2898 for 161 total claims over 20.
  - \$4284 for 51 independent claims over 3.
  - \$280 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 8332.

Adjustment date: 08/20/2002 Y61ZAW  
07/16/2002 BABRHH1 00000040 120080 10010942  
03 FC:103 2358.00 CH

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

08/20/2002 Y61ZAW 00000012 120080 10010942  
01 FC:103 2232. CH

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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10/010,942

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**Transaction History**

Date	Transaction Description
08-08-2006	Correction - Drawing NOT Required
06-28-2006	Receipt into Pubs
05-30-2006	Receipt into Pubs
05-30-2006	Sequence Forwarded to Pubs on Tape
05-24-2006	Receipt into Pubs
05-11-2006	Mail Notice of Allowance
05-11-2006	Mail Formal Drawings Required
05-11-2006	Mail Examiner Interview Summary (PTOL - 413)
05-10-2006	Formal Drawings Required
05-10-2006	Notice of Allowance Data Verification Completed
05-10-2006	Case Docketed to Examiner in GAU
04-24-2006	Examiner Interview Summary Record (PTOL - 413)
05-01-2006	Mail Examiner Interview Summary (PTOL - 413)
04-11-2006	Examiner Interview Summary Record (PTOL - 413)
03-15-2006	Information Disclosure Statement considered
03-03-2006	Information Disclosure Statement considered
12-22-2005	Information Disclosure Statement considered
03-15-2006	Reference capture on IDS
03-15-2006	Information Disclosure Statement (IDS) Filed
03-03-2006	New or Additional Drawing Filed
03-13-2006	Date Forwarded to Examiner
03-03-2006	Response after Non-Final Action
03-03-2006	Request for Extension of Time - Granted
03-03-2006	Reference capture on IDS
03-03-2006	Information Disclosure Statement (IDS) Filed
02-22-2006	Mail Examiner Interview Summary (PTOL - 413)
02-16-2006	Examiner Interview Summary Record (PTOL - 413)
12-22-2005	Reference capture on IDS
12-22-2005	Information Disclosure Statement (IDS) Filed
10-03-2005	Mail Non-Final Rejection
09-29-2005	Non-Final Rejection
08-24-2005	Case Docketed to Examiner in GAU

06-28-2005	Case Docketed to Examiner in GAU
05-24-2005	Information Disclosure Statement (IDS) Filed
06-02-2005	IFW TSS Processing by Tech Center Complete
06-02-2005	Case Docketed to Examiner in GAU
11-29-2004	Reference capture on IDS
11-29-2004	Information Disclosure Statement (IDS) Filed
05-24-2005	Reference capture on IDS
06-01-2005	Date Forwarded to Examiner
05-19-2005	Response after Non-Final Action
05-19-2005	Request for Extension of Time - Granted
05-25-2005	Case Docketed to Examiner in GAU
01-19-2005	Mail Non-Final Rejection
01-19-2005	Non-Final Rejection
12-16-2004	Information Disclosure Statement (IDS) Filed
12-20-2004	Date Forwarded to Examiner
12-14-2004	Supplemental Response
12-07-2004	Date Forwarded to Examiner
11-26-2004	Response after Non-Final Action
11-26-2004	Request for Extension of Time - Granted
11-26-2004	Workflow incoming amendment IFW
05-26-2004	Mail Non-Final Rejection
05-25-2004	Non-Final Rejection
03-18-2004	Date Forwarded to Examiner
03-12-2004	Response to Election / Restriction Filed
03-12-2004	Request for Extension of Time - Granted
12-19-2003	Correspondence Address Change
09-20-2003	Preliminary Amendment
09-24-2003	Mail Restriction Requirement
09-24-2003	Requirement for Restriction / Election
09-17-2003	Case Docketed to Examiner in GAU
10-03-2002	Information Disclosure Statement (IDS) Filed
07-09-2002	Preliminary Amendment
05-27-2003	Case Docketed to Examiner in GAU
04-21-2003	Case Docketed to Examiner in GAU
10-11-2002	Application Dispatched from OIPE
10-10-2002	Application Is Now Complete
09-16-2002	Additional Application Filing Fees
09-16-2002	CRF Disk Has Been Received by Preexam / Group / PCT
10-07-2002	CRF Is Good Technically / Entered into Database
08-25-2002	Receipt of all Acknowledgement Letters
08-21-2002	SEQUENCE ERRORS
07-01-2002	Payment of additional filing fee/Preexam
07-01-2002	CRF Disk Has Been Received by Preexam / Group / PCT
07-01-2002	A statement by one or more inventors satisfying the requi
07-30-2002	CRF Does Not Match Application Specification -- Applicant



03-01-2002	Notice Mailed--Application Incomplete--Filing Date Assign
01-15-2002	Referred by L&R for Third-Level Security Review. Agency I
01-10-2002	IFW Scan & PACR Auto Security Review
01-04-2002	CRF Is Flawed Technically / Not Entered into Database
12-19-2001	IFW Scan & PACR Auto Security Review
12-06-2001	CRF Disk Has Been Received by Preexam / Group / PCT
12-06-2001	Initial Exam Team nn

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- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) . Information Retrieval (PAIR).*
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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/010,942	12/06/2001	Guriq Basi	ELN-002

CONFIRMATION NO. 5594

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

## FORMALITIES LETTER



\*OC000000008658514\*

Date Mailed: 08/21/2002

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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PART 3 - OFFICE COPY

SEP 20 2002

PATENT & TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Guriq Basi, *et al.*

Serial No.: 10/010942

Filed: December 6, 2001

For: *Humanized Antibodies That Recognize  
Beta Amyloid Peptide*

Attorney Docket No.: ELN-002

Group Art Unit: 1645

Examiner: Not Yet Assigned

U.S. Patent and Trademark Office  
Box Sequence  
P.O. Box 2327  
Arlington, VA 22202

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on the date set forth below.

September 16, 2002

Date of Signature and of Mail Deposit

By:

Debra L. Milasincic, Esq.

Registration No. 46,931

Attorney for Applicants

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

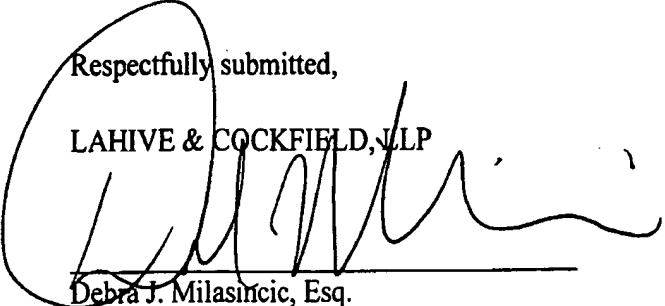
Dear Sir:

In response to the Notice to Comply with Requirements for Patent Applications  
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed from the  
Patent Office on August 21, 2002, we enclose herewith a diskette which contains a Substitute  
Sequence Listing in computer readable form as required by 37 C.F.R. 1.821(e). Also enclosed is

a statement that the content of the Substitute Sequence Listing (pages 1-22) submitted with the above-referenced patent application and the computer readable copy are the same as required under 37 C.F.R. 1.821(f). Also enclosed is a copy of the Notice to Comply for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures. No new matter has been added.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Debra J. Milasincic, Esq.  
Registration No. 46,931  
Attorney for Applicants

28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: September 16, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

~~LAHIVE & COCKFIELD, LLP~~  
Box Seq  
0300

In re the application of: Guriq Basi, *et al.*

Group Art Unit: 1645

Serial No.: 10/010942

Examiner: Not Yet Assigned

Filed: December 6, 2001

For: *Humanized Antibodies That Recognize  
Beta Amyloid Peptide*

Attorney Docket No.: ELN-002

U.S. Patent and Trademark Office  
Box Sequence  
P.O. Box 2327  
Arlington, VA 22202

**TRANSMITTAL LETTER FOR DISKETTE CONTAINING  
SUBSTITUTE SEQUENCE LISTING**

Dear Sir:

Enclosed is a diskette which contains a computer readable form of the Sequence Listing for the patent application filed on December 6, 2001. The Sequence Listing complies with the requirements of 37 C.F.R. §1.821. The material on this diskette is identical in substance to the sequence listing appearing on pages 1-22 of the Sequence Listing which is submitted herewith, as required by 37 C.F.R. §1.821(f). The computer readable form of the sequence listing contained on the enclosed diskette is understood to comply with the requirements of §1.824(d).

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I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on:  
September 16, 2002  
Date  
Debra J. Milasincic, Esq., Registration No. 46,931

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Debra J. Milasincic, Esq.  
Registration No. 46,931  
Attorney for Applicants

Date: September 16, 2002



SEP 20 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/010,942	12/06/2001	Guriq Basi	ELN-002

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

CONFIRMATION NO. 5594

FORMALITIES LETTER



\*OC000000008858514\*

Date Mailed: 08/21/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
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